

REMARKS

Claims 1-19, 21-22 and 24-29 are currently pending in this application. By this Amendment, Claim 8 has been amended and Claims 30-31 have been added as new claims.

I. Rejection under §112

The Specification has been amended to provide antecedent basis for "nuclear camera."

II. Rejection of Claim 1 under §103 – Townsend & Zhu

Claim 1 was rejected under 35 USC §103(a) as being unpatentable over Townsend (United States Patent No. 6,490,476) as evidenced by Zhu (United States Patent No. 6,775,405). The Office Action states that Townsend teaches gantries that are selectably movable with respect to one another, along with the bed, in order to obtain the images of interest. The Office Action further states that it would have been obvious to one skilled in the art at the time that the invention was made that the movement of either scanner could be at a fixed abutting position as the one taught by Figure 2b (assume that it meant to read Figure 2c since the embodiment of Figure 2b does not provide for moveable scanners) as that is one of the disclosed options of allowing access to the operator. For the following reasons Applicants respectfully disagree.

First, while Figure 2c of Townsend illustrates an embodiment in which the scanners are movable, there is *absolutely* no suggestion to put the scanners in an abutting position. Any implication of an abutting arrangement clearly goes beyond the scope of the teachings in Townsend. More importantly, *even if* we improperly construe the teachings of Townsend to demonstrate an abutting arrangement, there would not be a space between the bores of the scanners such as to allow access to the patient. Review of Figure 2c of Townsend clearly shows that Townsend's system *cannot* be configured such that the scanners are in abutting position and with the scanner bores are spaced apart. Such a configuration is only apparent upon reading Applicants' application.

Clearly Zhu does not remedy this defect and was merely cited for its discussion of PET and SPECT imagers.

Since the combination of Townsend and Zhu *clearly* does not disclose each element of the claimed invention, such combination of references does not render claim 1 unpatentable. Reconsideration of this rejection is respectfully requested.

III. Rejection of Claim 2 under §103 – Townsend & Zhu

Claim 2 was rejected under 35 USC §103(a) as being unpatentable over Townsend (United States Patent No. 6,490,476) as evidenced by Zhu (United States Patent No. 6,775,405). The Office Action states that Townsend teaches the axes of openings of the first and second imaging devices being substantially aligned (Figure 2b) and that the spacing between the bores is free of obstructions and the two bores are fixed and connected to each other (as described in col. 12, lines 46-48), while the patient support bed translates between the two aligned bores. The Office Action states that it would have been obvious that the movement of either scanner could be at a fixed abutting position as the one taught by Figure 2b. Applicants disagree.

The Examiner seems to be confused by the teachings of Townsend. Figure 2b, as described in column 10 lines 55-58 and column 12 lines 49-53, teaches that the gantries are fixed (spatially) relative to one another and the patient bed moves the patient between the imaging regions. Fixed relative to one another does not mean connected, but only that they are stationary and hence there is a fixed distance between them. Figure 2c, as described in column 10 lines 59-63 and column 12 lines 53-60, merely states that the scanners are movable relative to one another. Neither of these embodiments teach a secured abutting position. Again, as above, if the teachings of Townsend were *improperly* stretched to disclose such an abutting position, there would not be an opening formed between the bores of the scanners. Townsend *cannot* be configured in the same manner as claimed in claim 2.

Again, clearly Zhu offers nothing to remedy these defects in Townsend.

Since the combination of Townsend and Zhu *clearly* does not disclose each element of the claimed invention, such combination of references does not render claim 2 unpatentable. Reconsideration of this rejection is respectfully requested.

IV. Rejection under §103 – Townsend & Robinson

Claims 3-19, 21-22 and 24-29 have been rejected under 35 USC §103(a) as being unpatentable over Townsend (United States Patent No. 6,490,476) in view Robinson (United States Patent No. 6,637,453). The Office Action states that Townsend teaches all of the features of the instant invention except for a fluid control surface positioned beneath the patient support structure and between the first and second imaging devices for directing liquids falling onto the surface from the vicinity of the patient support structure away from the subject patient. The Office Action then points to Robinson within teaches a fluid control surface and concludes that it would have been obvious to modify Townsend to incorporate the features of Robinson. For the following reasons, Applicants respectfully disagree.

First, Townsend is devoid of teachings directed to dealing with fluids. The Office Action fails to establish a prima facie case of obviousness because it does not address this deficiency. Furthermore, claim 3 requires the arcuate surface formed as a portion of the housing of either the first or second imaging device. There is no teaching of this element in either of the cited references, nor is it addressed in the Office Action. Claim 10 requires a support structure for securing the first and second bores which includes a fluid control surface. Again, neither reference teaches this element. Claim 11 requires a substantially continuous arcuate surface formed from a portion of the housing. Neither reference teaches this element. Claim 17 requires defining a lower end of the patient access area, which is formed in the housing, with an arced surface. Once again, the references do not teach this element. Claim 22 requires a housing that defines a drainage surface. The references do not teach this element. The only teaching that can be readily ascertained from the cited references is that Townsend teaches a multimodality imaging system and Robinson teaches a fluid control apparatus. There is absolutely no suggestion

or motivation provided to combine these references. And the combination of references does not establish all of the claimed elements. The Office Action has impermissibly combined two references that provide no suggestion for combination and only teach a portion of the claimed elements. Although a number of these claims are further distinguished from these references based on the scanner positions and the patient access area that is formed, Applicants will not discuss these elements further as the elements already stated *clearly* demonstrate the inapplicability of the cited references.

Since the combination of references does not disclose or teach every element of the claimed invention, the combination of references does not render these claims obvious. Reconsideration of this rejection is respectfully requested.

V. New Claims


New claims 30-31 should be allowable based on similar rationale as set forth above.

VI. Conclusion

For the foregoing reasons, Applicants submit that this application is now in condition for allowance. The Examiner is encouraged to contact the undersigned if such contact would facilitate the prosecution of this application. Please charge any deficiency or credit any overpayment to our Deposit Account No. 14-1270.

Respectfully submitted,

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